

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

Francine Yvonne Knight,	)	
	)	
Plaintiff,	)	Civil Action No. 0:11-3426-RMG
	)	
vs.	)	
	)	
Carolyn D. Colvin, Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	<b>ORDER</b>
	)	
	)	
	)	

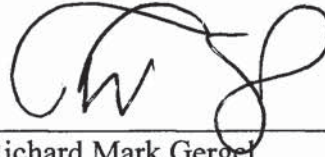
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This matter comes before the Court on Plaintiff's motion for approval of attorney's fees under 42 U.S.C. § 406(b). (Dkt. No. 41). Plaintiff has informed the Court that she was ultimately awarded Social Security disability benefits as a result of this present action and received a lump sum back benefits award of \$48,461.90. (Dkt. No. 41-1). She further has informed the Court that she previously had withheld \$6,000.00 for attorney's fees at the administrative level and now seeks approval of an additional attorney's fee of \$6,115.48 for attorney time expended in handling this appeal. (*Id.* at 1-2). Plaintiff recognizes that should this Court approve the requested attorney fee under § 406(b) she is entitled to a refund from her attorney of previously awarded Equal Access to Justice Act (EAJA) fees in the amount of \$4,224.88. (*Id.* at 2). The Defendant has advised the Court that she does not oppose the approval of Plaintiff's attorney fee under § 406(b). (Dkt. No. 42).

The Court has reviewed the Plaintiff's motion in light of the standards set forth in *Grisbrecht v. Barnhart*, 535 U.S. 789, 808 (2002). The Court finds that pursuant to the

*Grisbrecht* standards the proposed fee is reasonable and grants the Plaintiff's motion to approve the fee in the amount of \$6,115.48. Since Plaintiff is entitled to an offset for previously awarded EAJA fees, Plaintiff's counsel is directed that upon receipt of the fee award approved herein to refund to Plaintiff \$4,224.88.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. M. Gergel', is written over a horizontal line.

Richard Mark Gergel  
United States District Judge

October 17, 2014  
Charleston, South Carolina